

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DAVID BROWN,

Plaintiff,

v.

WILLIE SMITH, et al.,

Defendants.

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Case No. 1:16-cv-235

HONORABLE PAUL L. MALONEY

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. Remaining Defendants Dr. Roger Gerlach and Dr. Thomas Doyle have filed motions for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on March 4, 2019, recommending that this Court grant the motions and enter judgment in favor of Defendants. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 147) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Dr. Gerlach's Motion for Summary Judgment (ECF No. 122) is GRANTED.

**IT IS FURTHER ORDERED** that Dr. Doyle's Motion for Summary Judgment (ECF No. 127) is GRANTED.

**IT IS FURTHER ORDERED** that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. See *McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: April 15, 2019

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge